

Message Text

CONFIDENTIAL

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ACTION OES-07

INFO OCT-01 EUR-12 NEA-10 ISO-00 IO-13 SSO-00 NSCE-00
INRE-00 ACDA-07 CIAE-00 INR-07 L-03 NSAE-00
NSC-05 EB-07 NRC-05 FEAE-00 DODE-00 SS-15 SP-02
USIE-00 PM-04 H-01 PA-01 PRS-01 /101 W
-----035314 131322Z /46

O 131211Z JUL 77

FM AMEMBASSY VIENNA

TO SECSTATE WASHDC IMMEDIATE 2514

INFO AMEMBASSY LONDON IMMEDIATE

USERDA HQ GERMANTOWN IMMEDIATE

AMEMBASSY MOSCOW IMMEDIATE

AMEMBASSY NEW DEHLI IMMEDIATE

AMEMBASSY OTTAWA

USERDA HQ WASHDC IMMEDIATE

C O N F I D E N T I A L SECTION 1 OF 2 VIENNA 6490

USIAEA

DEPT PASS IO/SCT AND OES/NET

E.O. 11652: GDS

TAGS: PARM, TECH, IAEA, IN, UR, CA

SUBJECT: INDIA/IAEA NEGOTIATIONS OF SAFEGUARDS AGREEMENT IN
CONNECTION WITH USSR-SUPPLIED HEAVY WATER

REF: IAEA VIENNA A-240 (NOTAL)

1. MISSION HAS RECEIVED ON CONFIDENTIAL BASIS COPY OF
LETTER TO DIRECTOR GENERAL EKLUND FROM H. N. SETHNA,
GOVERNMENT OF INDIA DEPARTMENT OF ATOMIC ENERGY. IN
THAT LETTER, RECEIVED BY AGENCY ON JULY 12, SETHNA
REQUESTS SUBMITTAL TO BOARD OF GOVERNORS OF SUBJECT
AGREEMENT AS FINALIZED IN BOMBAY (TRANSMITTED REF
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AIRGRAM) BUT DELETING THE REFERENCES TO THE RAJASTHAN ATOMIC
POWER STATION. AGENCY (ACTING DIRECTOR GENERAL HALL) HAS CALLED
A MEETING TO BE HELD IN VIENNA AT 11 A.M. THIS
COMING FRIDAY, JULY 15, TO ASSESS EXTENT TO WHICH AGENCY POSITION
HAS SUPPORT. INVITATIONS TO ATTEND EXTENDED TO FOLLOWING MISSIONS:

U.S., US, USSR, AND CANADA. LOCAL REPS OF UK,

USSR AND CANADA BELIEVE THEY WILL RECEIVE INSTRUCTIONS FROM THEIR GOVERNMENTS TO SUPPORT STRONGLY THE AGENCY'S POSITION TO INCLUDE REFERENCES IN THE AGREEMENT TO THE RAJASTHAN REACTORS. MISSION URGENTLY REQUESTS INSTRUCTIONS RE USG POSITION IN TIME FOR JULY 15 MORNING MEETING. SUBSTANTIVE CONTENT OF SETHNA'S LETTER QUOTED IN PARA 2 BELOW.

2. BEGIN QUOTE AFTER THE SECOND ROUND OF NEGOTIATIONS HELD IN BOMBAY, AGREEMENT WAS REACHED ON ALL POINTS, EXCEPT ON THE INCLUSION OF THE CLAUSES RELATING TO THE RAJASTHAN ATOMIC POWER STATION. THE AGENCY HAD PUT FORWARD CERTAIN ARGUMENTS WHY IT WOULD NOT BE ABLE TO RECOMMEND TO THE BOARD APPLICATION OF TWO DIFFERENT SAFEGUARDS REGIES TO THE SAME STATION. IT WAS EXPLAINED TO THE AGENCY IN CONSIDERABLE DETAIL THAT THE TWO UNITS ARE COMPLETELY SEPARATE INTITIES WITH THEIR OWN ANCILLARY FACILITIES, ETC., AND THEREFORE IT WILL NOT BE DIFFICULT TO KEEP THE HEAVY WATER STREAMS OR THE SPENT FUEL OF THE TWO UNITS SEPARATELY.

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ACTION OES-07

INFO OCT-01 EUR-12 NEA-10 ISO-00 IO-13 SSO-00 NSCE-00
INRE-00 ACDA-07 CIAE-00 INR-07 L-03 NSAE-00
NSC-05 EB-07 NRC-05 FEAE-00 DODE-00 SS-15 SP-02
USIE-00 PM-04 H-01 PA-01 PRS-01 /101 W
-----035456 131323Z /46

O 131211Z JUL 77

FM AMEMBASSY VIENNA

TO SECSTATE WASHDC IMMEDIATE 2515

INFO AMEMBASSY LONDON IMMEDIATE

AMEMBASSY MOSCOW IMMEDIATE

AMEMBASSY NEW DELHI IMMEDIATE

AMEMBASSY OTTAW IMMEDIATEA

USERDA HQ WASHDC IMMEDIATE

USERDA HQ GERMANTOWN IMMEDIATE

C O N F I D E N T I A L SECTION 2 OF 2 VIENNA 6490

USIAEA

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THEREFORE, WE SEE NO DIFFICULTY IN APPLYING SAFE-GUARDS UNDER DISCUSSION TO THAT REACTOR WHICH USES THE HEAVY WATER SUPPLIED BY THE SOVIET UNION. ACCORDING TO THE AGENCY'S SAFEGUARDS SYSTEM AS CONTAINED IN THE INFCIRC/66/REV.2, THE AGREEMENT SHALL ONLY COVER EQUIPMENT AND MATERIAL SUPPLIED AS WELL AS PRODUCED SPECIAL NUCLEAR MATERIAL INCLUDING SUBSEQUENT GENERATIONS USING ANY OF THE SUPPLIED ITEMS. IN THE PRESENT CASE, AS YOU ARE AWARE, ONLY HEAVY WATER HAS BEEN SUPPLIED BY THE SOVIET UNION AND THE MAIN AGREEMENT CAN, THEREFORE, INCLUDE ONLY THE HEAVY WATER SUPPLIED BY THE SOVIET UNION. AND THE SPECIAL NUCLEAR MATERIAL, INCLUDING SUBSEQUENT GENERATIONS, PRODUCED BY THE

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USE OF SAFEGUARDED HEAVY WATER. WHILST THERE IS NO DOUBT THAT THE SOVIET SUPPLIED HEAVY WATER WILL BE USED IN RAJASTHAN UNIT 2, THERE IS NO JUSTIFICATION FOR INCLUDING IT IN THE TEXT OF THE MAIN AGREEMENT. AS IS THE USUAL PRACTICE FOLLOWED BY THE AGENCY, WE WOULD BE AGREEABLE FOR SPECIFYING THE REACTOR IN WHICH THE SOVIET SUPPLIED HEAVY WATER WILL BE USED IN THE SUBSIDIARY ARRANGEMENT TO BE CONCLUDED PURSUANT TO THE MAIN AGREEMENT. SUCH AN APPROACH HAS, IN FACT, BEEN FOLLOWED IN RECENT AGREEMENTS NEGOTIATED BY THE AGENCY AND RECOMMENDED TO THE BOARD. I WOULD, THEREFORE, URGE YOU TO DELETE ALL REFERENCES TO THE RAJASTHAN ATOMIC POWER STATION IN THE PROPOSED AGREEMENT BETWEEN THE AGENCY AND INDIA. IF THERE ARE FURTHER TECHNICAL AND ADMINISTRATIVE REASONS BEYOND THE ONES INDICATED BY THE AGENCY SO FAR, I SHALL BE HAPPY TO RECEIVE THEM. IF NOT, THEN I WOULD LIKE THE AGREEMENT AS FINALIZED IN BOMBAY RECENTLY BUT DELETING THE REFERENCES TO THE RAJASTHAN ATOMIC POWER STATION TO BE SUBMITTED TO THE BOARD OF GOVERNORS FOR CONSIDERATION. ANY TECHNICAL AND ADMINISTRATIVE RESERVATIONS THAT YOU MAY STILL HAVE COULD BE SUBMITTED TO THE BOARD SEPARATELY. END QUOTE.

3. PLEASE ADVISE ON URGENT BASIS. STONE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, NEGOTIATIONS, HEAVY WATER, NUCLEAR SAFEGUARDS, RELATIONS WITH INTERNATIONAL ORGS
Control Number: n/a
Copy: SINGLE
Sent Date: 13-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977VIENNA06490
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS,7/13/27 FMACHAK 25X6
Errors: n/a
Expiration:
Film Number: D770249-0232
Format: TEL
From: VIENNA USIAEA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197707106/ddzecaaj.tel
Line Count: 165
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 75f0f662-c288-dd11-92da-001cc4696bcc
Office: ACTION OES
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 IAEA VIENNA A-240
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 26-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1726459
Secure: OPEN
Status: <DBA CORRECTED> gwr 20010601
Subject: INDIA/IAEA NEGOTIATIONS OF SAFEGUARDS AGREEMENT IN CONNECTION WITH USSR-SUPPLIED HEAVY WATER
TAGS: PARM, TECH, IN, UR, CA, IAEA
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/75f0f662-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009